IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the April 04th, 2006

Criminal Misc. Bail Application No. 881 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Jashwant Singh @ Dalvir Singh
S/o Sri Mahavir Singh
R/o Village Bagoli
Patwari circle Thapli
Tehsil Karanprayag
District Chamoli ……Applicant

Versus

State of Uttaranchal …Opposite Party

Arising out of case crime No. 1 of 2005
Under Sections 498A, 304 B I.P.C.
Patwari Circle Thapli
Tehsil Karanpryag
District Chamoli

Hon'ble J.C.S. Rawat, J.

Heard Sri Dinesh Chauhan learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. It is alleged that when the deceased came to her parental house on 8.6.2005, she stated to her parents that her husband and her in-laws were demanding dowry. Thereafter on 10.06.2005 the deceased went to her matrimonial house without having the money demanded by the husband & her in-laws. Thereafter, the village pradhan and some persons came to house of the father of deceased in the night of 13.06.2005 and informed him that his daughter (deceased) had died in the jungle. It is also in the statement of the deceased recorded under section 161 Cr. P.C. that her husband (present applicant) had to go foreign country and in this connection a demand was made to her.

Learned counsel for the applicant contended that the reporter has been declared hostile. As such, the applicant is entitled for bail. Learned A.G.A. refuted the contention. There are other evidence against the applicant-accused. Smt. Rukmani Devi and Leela Devi, who are the mother and sister of the deceased respectively, have supported the prosecution versions. The Statement recorded u/s 161 of

both the witness shows that the deceased was subjected to ill treatment and harassment immediately before the death in connection with the dowry demand. Their evidence and not been recorded in the court so far. Medical report reveals that there is a mark of ligature on the neck of the deceased. Considering the contentions, medical report and totality of the circumstances of the case, there is no good ground for bail. Therefore, the bail application is hereby rejected.

(J.C.S. Rawat, J)

Dated 04.04. 2006
LSR